



February 18, 2009

HOUSE BILL No. 1582

DIGEST OF HB 1582 (Updated February 16, 2009 1:47 pm - DI 109)

Citations Affected: IC 9-18; IC 20-20; IC 20-28; noncode.

Synopsis: School counselors. Increases maximum allowable grant amounts awarded from the school intervention or career counseling development fund. Specifies target counselor - student ratios to be used for the hiring of school counselors, social workers, and psychologists with grant money. Requires the department of education in cooperation with other appropriate associations to develop a uniform job description for school counselors. Requires individuals seeking initial licensure for school counseling to provide evidence of performance in certain areas. Makes a technical correction.

Effective: July 1, 2009.

Porter

January 16, 2009, read first time and referred to Committee on Education.
February 17, 2009, amended, reported — Do Pass. Referred to Committee on Ways and Means pursuant to Rule 127.

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HB 1582—LS 7205/DI 109+



February 18, 2009

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

HOUSE BILL No. 1582

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 9-18-31-6, AS AMENDED BY P.L.1-2005,
2 SECTION 100, IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2009]: Sec. 6. The fees collected under this
4 chapter shall be distributed as follows:
5 (1) Twenty-five percent (25%) to the state superintendent of
6 public instruction to administer the school intervention ~~and~~ **or**
7 career counseling development program and fund under
8 IC 20-20-17.
9 (2) Seventy-five percent (75%) as provided under section 7 of this
10 chapter.
11 SECTION 2. IC 20-20-17-1, AS ADDED BY P.L.1-2005,
12 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
13 JULY 1, 2009]: Sec. 1. As used in this chapter, "fund" refers to the
14 school intervention ~~and~~ **or** career counseling development fund
15 established by section 4 of this chapter.
16 SECTION 3. IC 20-20-17-3, AS ADDED BY P.L.1-2005,
17 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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JULY 1, 2009]: Sec. 3. As used in this chapter, "school intervention ~~and or~~ career counseling development program" refers to a program carried out under this chapter:

- (1) for kindergarten through grade 6; and
- (2) by a licensed school counselor.

SECTION 4. IC 20-20-17-4, AS ADDED BY P.L.1-2005, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 4. (a) As a result of a comprehensive study conducted by the department on the role of school counselors, including the expanding role of school counselors in career development under workforce development programs that affect public schools, the school intervention ~~and or~~ career counseling development fund is established. The money in the fund shall be used to develop counseling models in a limited number of school corporations as determined by the department under this chapter.

(b) If a school corporation is awarded a grant under this chapter, the school corporation must:

- (1) agree to evaluate the impact and results of the school corporation's program; and
- (2) submit the school corporation's findings to the department.

(c) The department shall administer the fund.

(d) The fund consists of:

- (1) gifts to the fund;
- (2) appropriations from the general assembly;
- (3) grants, including grants from private entities; and
- (4) a combination of the resources described in subdivisions (1), (2), and (3).

SECTION 5. IC 20-20-17-7, AS ADDED BY P.L.1-2005, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 7. (a) Subject to subsection (b), the department shall determine the amount of each grant that is awarded under this chapter.

(b) A grant to a particular school corporation may not exceed:

- (1) ~~fifteen thousand dollars (\$15,000)~~ **twenty-five thousand dollars (\$25,000)** for each full-time counselor for each academic year, or ~~seven thousand five hundred dollars (\$7,500)~~ **twelve thousand five hundred dollars (\$12,500)** for each full-time counselor for each semester; and
- (2) the following total grant awards as each relates to the ADM of the school corporation at the time the school corporation applies for the grant:

(A) For a school corporation with an ADM of not more than

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1 five thousand (5,000), ~~seventy-five thousand dollars (\$75,000).~~
 2 **eighty-five thousand dollars (\$85,000).**

3 (B) For a school corporation with an ADM of at least five
 4 thousand one (5,001) and not more than nine thousand nine
 5 hundred ninety-nine (9,999), ~~one hundred twenty thousand~~
 6 ~~dollars (\$120,000).~~ **one hundred thirty thousand dollars**
 7 **(\$130,000).**

8 (C) For a school corporation with an ADM of at least ten
 9 thousand (10,000), ~~one hundred eighty thousand dollars~~
 10 ~~(\$180,000).~~ **one hundred ninety thousand dollars**
 11 **(\$190,000).**

12 SECTION 6. IC 20-20-17-10, AS ADDED BY P.L.1-2005,
 13 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 14 JULY 1, 2009]: Sec. 10. (a) An advisory committee composed of five
 15 (5) members is established.

16 (b) The state superintendent shall appoint the members of the
 17 advisory committee.

18 (c) The state superintendent shall:

19 (1) convene the advisory committee; and

20 (2) act as chair of the advisory committee.

21 The state superintendent may not be a member of the advisory
 22 committee.

23 (d) An employee of:

24 (1) the governor; or

25 (2) the department of education;

26 is eligible for appointment to the advisory committee.

27 (e) A member of the advisory committee serves at the pleasure of
 28 the appointing authority.

29 (f) A member of the advisory committee is not entitled to the
 30 following:

31 (1) The minimum salary per diem provided in IC 4-10-11-2.1(b).

32 (2) Reimbursement for traveling expenses and other expenses
 33 actually incurred in connection with the member's duties.

34 (g) The advisory committee shall do the following:

35 (1) Assist the department in developing the guidelines described
 36 in section 9 of this chapter.

37 (2) Establish standards for qualifying for a grant under this
 38 chapter.

39 (3) Review grant applications and make recommendations to the
 40 state superintendent concerning the awarding of grants.

41 (4) Evaluate the impact and results of the various school
 42 intervention ~~and~~ **or** career counseling programs receiving grants

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under this chapter.

SECTION 7. IC 20-20-18-6, AS ADDED BY P.L.1-2005, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 6. Upon review of the applications received under section 5 of this chapter, the department may award grants to school corporations subject to available money and in accordance with the following priorities:

(1) To the extent possible, to achieve geographic balance throughout Indiana and to include urban, suburban, and rural school corporations.

(2) To address a documented need for new or expanded programs, including consideration of the percentage of students within the school corporation who are designated as at risk students.

(3) To lower:

(A) student/school counselor ratios **to a minimum of one (1) school counselor to two hundred fifty (250) students;**

(B) student/social worker ratios **to a minimum of one (1) social worker to four hundred (400) students;** and

(C) student/school psychologist ratios **to a minimum of one (1) school psychologist to one thousand (1,000) students.**

~~where the ratios are excessively high.~~

SECTION 8. IC 20-28-5-16 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 16. After June 30, 2011, the department may not issue an initial school services license for school counseling to an individual unless the individual provides evidence of performance in the following areas:**

(1) Developmental guidance instruction.

(2) Educational development.

(3) Career development student assistance services.

(4) Counseling strategies.

(5) Prevention programming.

(6) Crisis intervention leadership.

(7) Advocacy for students.

(8) Professional growth.

SECTION 9. [EFFECTIVE JULY 1, 2009] **(a) Not later than July 1, 2010, the department of education, in cooperation with other appropriate associations, shall develop a uniform job description for school counselors.**

(b) This SECTION expires December 31, 2010.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1582, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 4, reset in roman "6;".

Page 2, line 4, delete "12;".

Page 4, after line 21, begin a new paragraph and insert:

"SECTION 8. IC 20-28-5-16 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2009]: **Sec. 16. After June 30, 2011, the department may not issue an initial school services license for school counseling to an individual unless the individual provides evidence of performance in the following areas:**

- (1) Developmental guidance instruction.**
- (2) Educational development.**
- (3) Career development student assistance services.**
- (4) Counseling strategies.**
- (5) Prevention programming.**
- (6) Crisis intervention leadership.**
- (7) Advocacy for students.**
- (8) Professional growth.**

SECTION 9. [EFFECTIVE JULY 1, 2009] **(a) Not later than July 1, 2010, the department of education, in cooperation with other appropriate associations, shall develop a uniform job description for school counselors.**

(b) This SECTION expires December 31, 2010."

Re-number all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1582 as introduced.)

OXLEY, Chair

Committee Vote: yeas 7, nays 5.

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